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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 2:14-CR-229-APG-(NJK)
9 Plaintiff,)
10 v.) Preliminary Order of Forfeiture
11 FRANKIE ALLEN PERAZA,)
12 Defendant.)

13 This Court finds that defendant Frankie Allen Peraza was found guilty of Count One of a
14 One-Count Criminal Indictment charging him with Receipt or Distribution of Child Pornography
15 in violation of Title 18, United States Code, Section 2252(a)(2). Criminal Indictment, ECF No.
16 1; Minutes of Jury Trial, ECF No. 212; Jury Verdict, ECF No. 217.

17 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
18 America has shown the requisite nexus between property set forth in the Bill of Particulars and
19 the Forfeiture Allegations of the Criminal Indictment and the offense to which defendant Frankie
20 Allen Peraza was found guilty. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 53;
21 Minutes of Jury Trial, ECF No. 212; Jury Verdict, ECF No. 217.

22 The following property is (1) any visual depiction described in Title 18, United States
23 Code, Section 2252, or any book, magazine, periodical, film, videotape, or other matter which
24 contains any such visual depiction, which was produced, transported, mailed, shipped or received
25 in violation of Title 18, United States Code, Section 2252(a)(2) and (2) any property, real or
26 personal, used or intended to be used to commit or to promote the commission of Title 18,

1 United States Code, Section 2252(a)(2) or any property traceable to such property, and is subject
2 to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3).

3 1. Toshiba Satellite Laptop Computer, SN 47439560K; and
4 2. Seagate Free Agent Go 320 GB External Hard Drive, SN 2GE6WEV4
5 (all of which constitutes property).

6 This Court finds the United States of America is now entitled to, and should, reduce the
7 aforementioned property to the possession of the United States of America.

8 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
9 the United States of America should seize the aforementioned property.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
11 of Frankie Allen Peraza in the aforementioned property is forfeited and is vested in the United
12 States of America and shall be safely held by the United States of America until further order of
13 the Court.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
15 America shall publish for at least thirty (30) consecutive days on the official internet government
16 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
17 property, state the time under the applicable statute when a petition contesting the forfeiture must
18 be filed, and state the name and contact information for the government attorney to be served
19 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
20 Section 853(n)(2).

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
22 entity who claims an interest in the aforementioned property must file a petition for a hearing to
23 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
24 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
25 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature

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1 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
2 facts supporting the petitioner's petition and the relief sought.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
4 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
5 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
6 sixty (60) days after the first day of the publication on the official internet government forfeiture
7 site, www.forfeiture.gov.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
9 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
10 the following address at the time of filing:

11 Michael A. Humphreys
12 Assistant United States Attorney
13 Daniel D. Hollingsworth
14 Assistant United States Attorney
15 501 Las Vegas Boulevard South, Suite 1100
16 Las Vegas, Nevada 89101.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
16 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
17 agency following publication of notice of seizure and intent to administratively forfeit the above-
18 described property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
20 of this Order to all counsel of record.

21 Dated: September 25, 2017.

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25 UNITED STATES DISTRICT JUDGE
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